G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1903-1904
~~191~~.
(municipal)

p 15

File No. 109 of 1903

Serial Nos. 1 — 7

Papers ~~Filed.~~

Month February 1905

SUBJECT.

Construction of a gramadevata temple at Mavalli in the Bangalore City

Indexed - 22 Subbarao

PREVIOUS REFERENCES.

LATER REFERENCES.

Countermarked
K.R.

G. R. S. 11] 1904.-05

GENERAL AND REVENUE SECRETARIAT.

(Mund.)

NOTES.

L. File No. 51-02

FILE HEADING.

Construction of a Grama devata temple at Madally in the Bangalore City.

From

The Secretary, Munzrai department

No. 2212 Dated 14.12.02 Received 19.12.1902

Diary No. 4024 | Enclos. 1 file Spare Copies. – | Serial No.

BRIEF ABSTRACT OF LETTER.

Transmits for disposal the records connected with the case.

NOTES AND ORDERS.

The appeal is against the District Magistrate's order prohibiting the construction of a building by the Hindus for the location of the Grama devata. The President's letter No 33 dated

NOTES—First sheet.

Serial No.

the 20th July 1902 is a full report of the facts of the case

2. Submitted for orders. The Munzpa Secy to whom the Presidents letter was transferred for disposal, retransmits it for disposal has the question of constructing a private temple on the site under reference is not a Municipal matter and as the appeal is from an order of the District Magistrate:

DJ 16/1/05: DJ 17/1/05

3. The Dist Magt has forbidden the construction of the Hindoo temple in question on the site referred to on the ground that being in front of a Mosque & therefore, likely to cause disturbance of the public peace. The present petition is an appeal against it Submitted to the Deputy Commissioner

15.1.1905

1526/19-1-05.

4. P. Appa-

If the Dy Comm & the President could go with me, I propose to visit that place on the morning of the 22nd Instant - Meanwhile Dr & Mr Wheeler please read off at once. 20-1-05.

MGGPR—20,000—1,11-04.

Serial No.

I saw the Pleader this morning in company with the Chief President. The Bye Laws in abeyance as hon'ble Members were unable to be present. Both parties said that they had with them some more papers than they already filed in the record of the case - they promised to produce them before the President - In the afternoon an order to that effect was sent to them by Mr. Sundaresadas sent to me by him & a question whether some valuable information could not be obtained from Mr Rao Bahadur A. Sreenivasachariar who is not here at present - but who I understand is expected back early next month.

A.

23/1/05-

P Appa.

Please keep this file with you until again called for - A

23/1/05-

I have read the additional papers produced by the Contesting parties. The original documents under which the Municipality is said to have held the land since pre-

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

L. File No. 57 of 1902

Serial No.

letter for the express purpose of a temple being built upon it is not for Honble Members that may be this is a matter affecting the Public peace and there is a strong objection which does not seem altogether unreasonable on the part of the Mussulman community of the locality. Hon'ble my opinion is not a case for Govt interference & the petition may accordingly be rejected

L
30/1/1905

30/1/05

3.1.

D "63"
Decline to interfere
3.II.05

10 Draft sent
6.2.1905

H.A.-S. of S. 96/2

H. Draft Submitted
Mudaliar 12. Passed
6/2 7.2.1905

13/2 Encl to Municipal Office and others
no: 7160/Mis 57-02 dated the 17th Feb 1905
informing them that Govt decline to interfere in the matter

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

L. File No. 57 of 1902

Serial No.	
14	Memo no 7161 dated the 17th Feb. 05 L.7.51-02 Forwards a copy of cl. 4 to the President
15	Memo no 7162 dated the 17th Feb. 05 L.7.51-02 Forwards a Copy of cl: no 4 to the Distt Magistrate of the Bangalore Distt: and returns the file received from him

MGCPB—20,000—1-11-04.

Revised
L. and R. Act of 1903
Sec

Five Rupee Stamp affixed

Forwarded to the
Local Board Branch
(Revenue).

7
-5-04.

A. S. N.
4/6/04

Initialled

190 4 Lr 710.

No. 2657

In Muvidathatapa and 8 Others

Name of Petitioner

Village Mavadhi

Taluk Bangalore Cantonment

District

Date of Arzi

Date of Receipt 28/5/04

Date of Disposal

No. of Enclosure 8

ABSTRACT

Represents as follows:
That after obtaining license from the Resident, Bangalore for the construction of a tank on the site purchased by them in their village was begun for Gramadana Tank, but a notification dated 24/12/03 was issued by the President directing the stay of the construction of the tank referred to, which runs as follows:
The work of Construction on

the temple in Dodd Marg for a
Grand Duration should be
stayed until further order
after the enquiry into the
complaints lodged by the
Mahomedans against the
above.
Further state that during
the Celebration of Jatra a
it has been the usual
practice to hold the dark
particularly on the Site on
which the Building is now
proposed to be constructed
from the year 1890 without
any demur on the part of
the Mahomadans.
That the Grant of the Site
was made by Govt on the distinct
understanding that the Mahomedans
should not object to the
holding of the Kinder Musa
in front of their Mosque. Consequently
Mahomedans have no ground
for complaint.
That the President has passed
an order ("Copy of Order
Magistrate on 1/2/10 in English enclosed")
subordinating the petitioners from erecting
the building with reference to the
order of the Chief Comm passed in 1871
without correctly appreciating the facts before
the further referred to an order
of Col: Macaulay forbidding

3 Supra by one Kuttaffa in a Shop the Title of which the Petitioner is the Identical one on which the Petts want to Enrold That the President has not made any Enquiry and the Petition Submitted was not considered

Pray that the Records in the matter be called for and perused and that the President be directed to enquire into the matters of this Petition and to pass Such Order as he may deem fit

Mp
30/5/04

W Dept. 23/7 / II A.S.R. Diary No 538 5

23/7 Municipal G.O. No. 1090 1903 1904. 5. 0

Gl. 3

From

The President,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. & Rev. Departments,
Bangalore.

MYSORE GOVERNMENT
387
MUZRAI SECRETARIAT

Municipal G.O. No: 1090 03

Gl. 4

Dated 20

Despatched 22nd July 1904

Received

General No. 33
No.

Enclosures No. 0

Reporting on petition of Muniveńkatappa and others of Mathi, appealing against an order interdicting the construction of a building on a certain site in the village for locating Grama Devaru Le.

Lr No 761 29/7/04
CB 51-02

This is transferred to Muzrai Department for disposal.

By order

H Ramachandra
For Secretary
23/7

Read
Rl
29/7/04

Rl
29/7/04

6 502

OFFICE OF THE MUNICIPAL COMMISSION,

City Bangalore, 22nd March 1904

No. 33
Encs: 10.

FROM

THE PRESIDENT,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.
BANGALORE.

SIR,

With reference to your Official Memorandum No. 4856/L.F.51-02 dated the 14th ~~Instant~~ ultimo, forwarding for report a petition from Munivenkatappa and others appealing against an order interdicting the construction of a building on a certain site in the village of Mavally for locating their 'Gramadevat' &c., I have the honor to submit herewith all the papers available in this office bearing on the case as called for and to state that in June 1903 one Munisamappa applied for a license for the erection of a building in -- Mavalli for the purpose of locating and worshipping 'Grama devata' on a site purchased by him for the purpose.

2. The place was inspected by the Municipal Engineer and the Health Officer and with their approval, license was granted to the applicant. Sketch plan showing the relative positions of the mosque and the site forztemple is herein enclosed for reference.

3. In December 1903 the same man applied for renewal of the original license on the ground that the building was not completed within the time prescribed in the license.

4. Before the renewal of the license was granted, the Mahomedan residents of the locality submitted a petition to the Deputy Commissioner co ain against the construction

of the building in question as it was near their mosque &c. The Deputy Commissioner ordered the work of construction to be stopped pending enquiry into the above complaint and finally passed an order in February last in the capacity of the District Magistrate prohibiting the erection of any permanent structure on the particular site for any Hindoo procession or religious matter on the ground that it would cause friction between the Hindoo and Mahomedan communities.

5. On the receipt of copy of the District Magistrate's order in this office in May last, final Endorsement was issued on the 28th Idem to Munisamappa stating that the order passed by Mr. Sparkes as District Magistrate in the matter could not be disturbed.

6. The appeal petition with its enclosures is herewith returned.

I have the honor to be

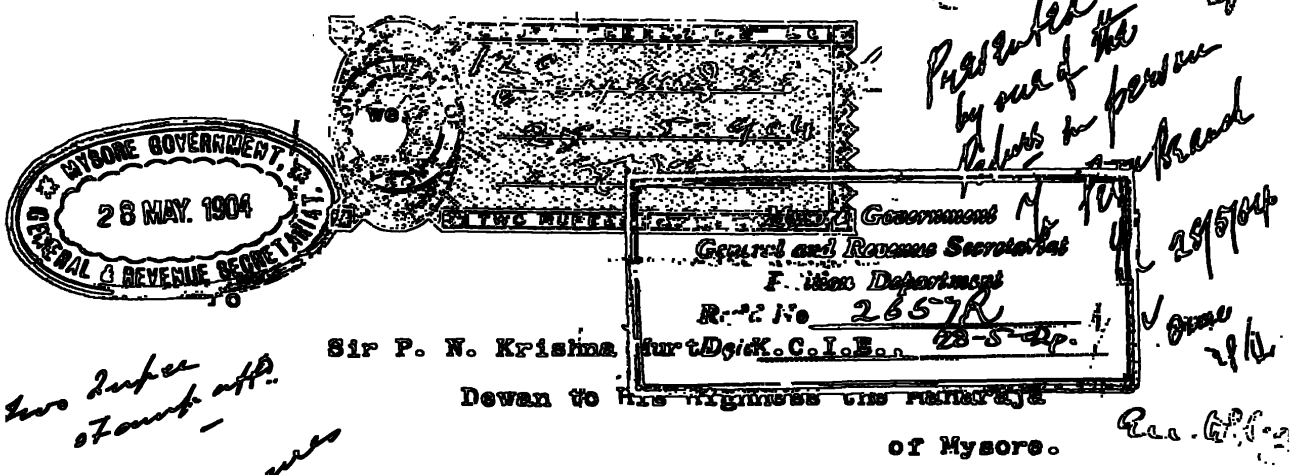
Sir,

Your most obedient servant,

S V Nagarkar

President.

D4024 J.1376



Sir P. N. Krishna Murti Dejd K.C.I.E.,

Dewan to His Highness the Maharaja

of Mysore.

The humble Memorial of M.Munivenkatappa and others residing in Mavalli and the neighbouring villages Most respectfully showeth :-

1. That your humble Memorialists have been for the long series of years in the habit of celebrating the "Grama-devata-jatra" in the village of Mavahalli for 3 days every year.

2. That your humble Memorialists have been in the practise of obtaining licenses from the Police and also their aid every year for successfully carrying out the jatra in Mavahalli and this they have been doing from a long series of years.

3. That from the year 1890 a specially defined place having been purchased, the temporary erection of a pandal and the installation of the deity have been on that site.

4. That it having been found inconvenient to put up this temporary pandal every year, it was thought fit to e-

Dec 1/1911 V. 14 D4024 J.1376 1

9 5

obtained permission p eded to build on the said site when they were served ith a notice restraining them from building till the isposal of the objection from the members of the Mahomedan community in the village.

7. That the objections on the part of the Mahamadans are untenable for the following reasons:-

(1). That the holding of the jatra is only in accordance with the mamul obtaining in the village from the time it came into existence.

(2). That during these celebrations there has been the usual practise to rest the deity in some place and particularly on the site on which the building is now proposed to be constructed from the year 1890 without any demur on the part of the Mahomadans.

(3). That the site on which the building is now sought to be erected is sufficiently distant from and in a different road from the Mosque the grant of a site near which was made by Government on the distinct understanding that the Mahomadans should not object to the passing of the hindu music in front of it., and the Mahamadans have conformed to this condition.

(4). That from the above circumstances it is clear that the Mahomadans have no ground of complaint.

8. That the President of the City Muncipality without taking these circumstances into his consideration and without any enquiry has passed an order interdicting your

not made any enquiry either into this or the other matters above referred to before making his order under appeal.

11. That your humble Memorialists in proof of the above are prepared to place unimpeachable testimony.

12. That the President has further erred in totally refusing a license which he as a President of the Muncipality is not authorised, vide under the Muncipal Regulation.

13. That the President who made the order having been succeeded by Mr. Devaraj Urs a review petition was filed before him and he has also declined to interfere with the order of his predecessor.

14. That your humble Memorialists are about to suffer serious and substatial damage and they therefore humbly beg that you will be graciously pleased to call for the record, peruse the same, and direct the President of the City Muncipality to enquire into the matter of this petition and to pass such order thereon as he may deem fit in the circumstances of the case .

For this act of kindness your humble Memorialists shall ever pray

Government of H.H.the Mahäraja of Mysore.

Muzrai Secretariat,

Dated Bangalore, 14th December 1904.

Memo.

The papers received with Memo No. 761/T. R 51-02, dated 29th July 1904, from the Secretary to Government, General and Revenue Departments, together with the records connected with the District Magistrate's Order since received in this Office from that Officer with his letter No. M.S.41 dated 12th November 1904, are herewith retransmitted for disposal to the Secretary, General and Revenue Departments, as the question of constructing a private temple on the site under reference is not a Muzrai matter and as the appeal is from an order of the District Magistrate.

By Order,

Secretary,

Muzrai Department.

B. M. 109]

D4927

8

OFFICE OF THE MUNICIPAL COMMISSION,

City, Bangalore, 26th January 1905.

No. 310
Encl: 3
From

S-3

THE PRESIDENT,

Municipal Commissnon,

Bangalore City.

Municipal
M. ww. 109 of 1903
Sl. 3
To

The Secretary to the Government of H. H. the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

In continuation of this office letter No. 33 dated the 22nd July last, I have the honor to submit herewith, as personally ordered by the Senior Councillor, copies of the marginally noted documents obtained from the representatives of the Hindu and Mohamedan residents of Dodda Mavally in respect to the construction of a 'Mariamma' temple in that village.

1.	Produced by Hindus.	Sale deed of land on which proposed temple is to be built.	
2.	do by Mohamedans.	Bangalore District Magistrate's order dated 23rd October 1884.	
3.	do. do	do do do dated 1st February 1904.	

I have the honor to be

Sir,

Your most obedient servant,

A. C. Vajavkar

President.

24/

B 13 9

No 7160 8/12/05 Encl 8 Petitions
Ft 57-02

Municipal
J. 210: 109 of 1903

Endorsement

Sr. (4)

Sl. 7

Endorsement granted to M. Munivenkatappa and others of Mahalli in the Bangalore City, in reply to their petition Reg.d No. 2657 dated the 20th May 1902 -- appealing against the order of the District Magistrate of the Bangalore Distt: interdicting the Construction of a building on a certain site in the village of Mahalli in the near vicinity of a Mahomedan Mosque for the purpose of locating the "Grama devate" therein

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Petitioners are informed that the Government decline to interfere

interference in the matter

2). The 8 enclosures received with the petition are here. with returned

By order

7.2.1905

Encl: 3 to P.O. etc. and plan.

No 716/ 2951-02 9/7/05

Memo

Secty

5.2.05

7/2/05

Copy forwarded to the President of the Municipal Commission, Bangalore City, with reference to his letters nos 33 and 310 dated the 20th July 1902 and the 24th Jany 1905 respectively. The enclosures as also a sketch of the latter communication, are herewith returned

By order

7.2.1905

Encl: six files & the sketch as above.

No 716/2 9/7/05

Memo

Secty

7/2/05

Copy forwarded to the Distt: Magistrate of the Bangalore Distt:

Districts with reference to his
letter No 41 dated the 14th November
1902 to the address of the Secretary
to the Govt of H. H. the Maharaja
of Mysore in the Mysore Dept
The two files of papers therewith
received are returned herewith

By order

7.2.05

Secty

7/2/05

Typed
15/2 s.m.
compared 16/2